

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Custom Hardware Engineering)	
& Consulting, Inc.,)	
)	
Plaintiff/Counterclaim-Defendant/)	
Third Party Defendant,)	
)	
&)	Case No.: 4:10CV000653
)	
David York,)	
)	
Counterclaim-Defendant/)	
Third-Party Defendant,)	
)	
v.)	
)	
Jonathan D. Dowell, Marcus)	
K. Smith, William Pilling,)	
Tri-Point Development, Inc.,)	
)	
Defendants/Counterclaim-Plaintiffs,)	
)	
&)	
)	
Linda Pilling, and Laura Smith,)	
)	
Third-Party Plaintiffs.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff/Third-Party Defendant Custom Hardware Engineering and Consulting, Inc. and Third-Party Defendant David York's Motion to Compel and for Discovery Sanctions Directed to Third-Party Plaintiffs [doc. #128]; Plaintiff

Custom Hardware Engineering and Consulting, Inc.'s Motion to Compel and for Discovery Sanctions Directed to Defendants [doc. #130]; Motion to Supplement Plaintiff's Prior Motions to Compel and/or Status Report to the Court [doc. #143]; and Plaintiff Custom Hardware Engineering and Consulting, Inc.'s Motion for Leave to Amend Plaintiff's First Amended Complaint for Injunctive Relief and Damages [doc. #140]. The Court held a hearing on February 3, 2011, wherein the Parties presented arguments on the pending Motions.

The Court understands that a mediation will occur in this case on March 7, 2011. No ruling will be made on pending Motions [docs. #128, #130, and #143] until the Court has been notified that mediation has been completed. The Parties shall strictly comply with the Federal Rules of Civil Procedure and Local Court Rules in producing documents, and in timely completing discovery.

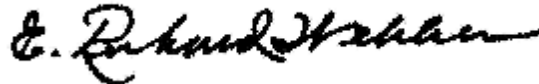
Accordingly,

IT IS HEREBY ORDERED that Plaintiff Custom Hardware Engineering and Consulting, Inc.'s Motion for Leave to Amend Plaintiff's First Amended Complaint for Injunctive Relief and Damages [doc. #140] is **GRANTED**. Defendant Laura Smith shall Answer or otherwise Respond to Plaintiff's First Amended Complaint for Injunctive Relief and Damages no later than **February 18, 2011**.

IT IS HEREBY FURTHER ORDERED that no later than **February 18, 2011**, respective counsel shall contemporaneously file briefs regarding their positions on the Court's imposition of payment of costs for completing electronic imaging.

IT IS HEREBY FURTHER ORDERED that the Court will extend the deadline for production of documents, deadline for completion of discovery, and deadline for identification and depositions of expert witnesses. The Parties shall submit a modified joint proposed scheduling plan to the Court for review by **February 18, 2011**.

Dated this 4th day of February, 2011.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written in a cursive style.

E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE